

Exhibit 39

159

1 Q. So your letter is dated July 2, 2015. Do
2 you think it was posted shortly after the date
3 of -- the date the letter was written?

4 A. I think only it was posted after I wrote it.
5 I'm not sure if it was shortly after. And I think
6 that's subjective.

7 Q. So you don't know the exact date, is that what
8 you're trying to say?

9 A. Yes.

10 MS. ELOVECKY: Objection.

11 Q. Do you have any records that would indicate
12 the exact date it was posted?

13 A. Yes. I believe it's part of the
14 litigation. It's on the record in the
15 litigation.

16 Q. You know there's been 7,000 documents in
17 this case. I can't remember every one of them,
18 although I try hard.

19 You can't -- can you pinpoint me to a
20 particular document that would have this
21 information?

22 A. Well, if it's -- I'm just -- I'm just using
23 common sense here. If it's in the Facebook
24 group, it would be in the documents I produced

161

1 Q. Did you ever remove the letter, that is the
2 July 2, 2015 letter, from your private/closed
3 Facebook group? A. No.

4 Q. And you indicated, I believe, that the
5 private/closed Facebook group no longer exists,
6 am I correct?

7 MS. ELOVECKY: Objection. A.

8 No.

9 Q. So it does still exist?

10 A. Yes.

11 Q. And the July 2, 2015 letter is still posted
12 somewhere in that private/closed Facebook
13 group?

14 A. Yes, I believe so, and I believe that I collected
15 that documentation.

16 MS. ELOVECKY: Drew, just to make things
17 easy, I will tell you, we produced it at Dorland
18 150. And also it was posted on July 7.

19 MR. EPSTEIN: Thank you, Suzanne.

20 Q. Did anyone ever contact you at any time from
21 the time it was first posted on July 7,
22 2015? Did anyone ever contact you for permission
23 to use the July 2, 2015 letter or any parts of
24

Page 158 to 161 of 224

the letter at any time?

A. No, not that I recall. That would have been nice.

Q. As long as the members of your private/closed Facebook group kept Debbie Striks' name private, didn't you encourage your Facebook group members to spread the word about kidney donations?

A. Yes, indeed. In order to educate the public to the need and the possibility of donating one's kidney, and, in fact, I'm aware of other people who have donated their kidney after hearing of my particular experience. Mission achieved.

Q. Good.

~~If I can draw your attention -- I hope you received it -- to what I've marked for identification as Exhibit 22, did you get that one? I sent it out. I think it was this morning.~~

A. I did. Was it -- was it duplicative? Was it already in your original PDF because that had been downloaded.

Q. Yes. Part of it appeared in Exhibit H.

Q. That's correct.

A. Which one are we looking at first? I have them both available.

Q. We don't have to look at 139, Exhibit 8, we only have to look at 136. A. I understand.

Q. It looks like it comes from you on August 5, 2015. Does it, in fact, come from you? A. Can I ask you to clarify -- wait. Sorry. It's my production. Give me a second to orient myself.

I'm seeing two different posts with two months in between, is that right, August 5, 2015? And then above it is October 7, 2015, is that right?

Q. That's how it came to me. I don't know.

A. I realize it's my production.

Will you repeat your question? I'm now looking at the post that says August 5, 2015.

Q. Did you post those two paragraphs starting with "Hey everyone!"?

A. I assume I did, because -- yes, my husband did during my surgery when I was in anesthesia take over administrative duties of the